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Docket No.: 1966/152

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph R. Habert
Serial No. : 10/632,642
Filing Date : August 1, 2003
Title: : DECORATIVE SOCKS WITH THREE
DIMENSIONAL ORNAMENTS AND
RELATED INDICIA
Examiner : To Be Assigned
Group Art Unit: : To Be Assigned

PETITION TO MAKE SPECIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Applicant hereby petitions to make the above-identified application special on the ground of potential infringement by a third party.


Applicant has found in the marketplace infringing decorative sock products having three dimensional ornaments and related indicia. Applicant has made a rigid comparison of the allegedly infringing products with the claims of the application, and believes that some of them are unquestionably infringed. Further facts regarding the alleged infringement are available upon request.

Applicant further asserts that a careful and thorough search of the prior art has been made, and that copies of the references deemed most closely related to the subject matter encompassed by the claims are already of record in this application, having been submitted together with an Information Disclosure Statement effective as of December 31, 2003.

A check in the amount of \$130.00 to cover the filing fee for this Petition, as prescribed by 37 C.F.R. §1.17(h), as amended, is enclosed herewith. The Commissioner is authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 07-1730. A duplicate copy of this paper is enclosed for that purpose.

Respectfully submitted,

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By: 
David S. Kashman
(Registration No. 28,725)

Dated: New York, New York
May 24, 2004



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on:

Date of Deposit May 24, 2004

David S. Kashman; Reg. No. 28,725
(Name of applicant, assign or Registered Representative)

David S. Kashman
(Signature)

May 24, 2004
(Date of Signature)